

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF MAY 18, 2004.

ATTENDANCE

COUNCIL: Randy Menard (Chair - District 9), Bobby Badeaux (District 1), Dale Bourgeois (District 2), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7)

ABSENT: Rob Stevenson (Vice Chair - District 8)

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk), Monica Fontenot (Administrative Assistant)

ADMINISTRATIVE STAFF: L.J. Durel, Jr. (City-Parish President), Dee Stanley (CAO), Pat Ottinger (City-Parish Attorney), Gail Smith (Director of Administrative Services), Chief Robert Benoit (Fire Department), Interim Chief Randy Hundley (Police Department), Becky Lalumia (Director of Finance & Management), Melanie Lewis (Director of Community Development), Tony Tramel (Director of Traffic & Transportation), Tom Carroll (Director of Public Works), Eleanor Bouy (Director of Planning, Zoning & Codes), Gerald Boudreaux (Director of Parks & Recreation), Terry Huval (Director of Utilities)

COMMENCEMENT

(TAPE 1)(SIDE A)(050)**AGENDA ITEM NO. 1:** Call to order.

Chair Randy Menard called the Regular Council Meeting of May 18, 2004 to order.

(TAPE 1)(SIDE A)(052)**AGENDA ITEM NO. 2:** Invocation and Pledge of Allegiance.

Councilmember Bruce Conque was called upon to deliver the invocation and lead the Pledge of Allegiance.

AGENDA ITEM NO. 3: EXECUTIVE/PRESIDENT'S REPORT

Public Works Director Tom Carroll gave a brief presentation on the status of flooding throughout Lafayette Parish from continuous heavy rains. A bridge that is located on Gloria Switch Road was closed to public traffic due to safety concerns. Because of rising water, the bridge was submerged. Once the water recedes, the state will conduct an inspection to determine if it is in a safe condition, then the bridge will be reopened. Councilman Bourgeois commended the Public Works employees for their assistance of the residences that were flooded.

*Due to technical difficulties, there was no audio for a small portion of the meeting.

(TAPE 1)(SIDE A)(216)**AGENDA ITEM NO. 4: CEREMONIAL PRESENTATIONS**

a. Recognitions

- Winners of the 2004 Williams-Green Scholarship.
 - a. Chase Bernard – Northside High School
 - b. Valarie Danielle Breau – Teurlings High School

Councilman Williams introduced the recipients of the Williams-Green Scholarship. He thanked Mr. & Mrs. Roy Williams and Mr. & Mrs. Charles Green for their participation as sponsors of the scholarship.

b. Presentations

- Presentation by auditor of FY 2002/2003 Audit Report

City-Parish Auditor John Blanchet explained the audit report is based on the FY 02/03 which ended October 31, 2003. He gave a brief description of the various statements found within the report. Mouton & Broussard expressed their concerns regarding year after year repetitive findings and requested that the new Administration research these items and attempt to ensure they are cleared from the audit report. Blanchet stated there are some items that are repeated but most findings have been corrected. Stanley assured the Council that he is working with all

Directors to ensure the repetitive items do not return.

(TAPE 1)(SIDE A)(473)AGENDA ITEM NO. 5: COUNCIL ANNOUNCEMENTS

Councilman Bourgeois introduced Glynn Cyprien as the new Head Basketball Coach for UL Lafayette. Mr. Cyprien is looking forward to working with the team in making changes and appreciates the support of the Council and Administration.

RESOLUTIONS

(TAPE 1)(SIDE A)(571)AGENDA ITEM NO. 6: R-029-2004 A resolution of the Lafayette City-Parish Council urging Senators John Breaux and Mary Landrieu and every member of the Louisiana Congressional Delegation to seek to reduce and regulate the speed limit of trains while traveling in Lafayette Parish, Louisiana A motion to approve as amended by Williams, seconded by Broussard, ***with the amendment including language changes within various parts of the resolution*** and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Menard

NAYS: None

ABSENT: Stevenson

ABSTAIN: None

Motion was approved as amended.

Mouton stated a business had contacted him regarding trains that park and block the view of signage for his customers. The gentleman contacted the railroad company to discuss his concerns, however, the railroad company responded they would cooperate but for a fee. He considered this to be unfair business.

(TAPE 1)(SIDE A)(640)AGENDA ITEM NO. 7: R-030-2004 A resolution of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to enter into an agreement with the Louisiana Department of Transportation and Development obligating the Lafayette City-Parish Consolidated Government to pay ten percent (10%) of the construction cost and assume all legal liability for all maintenance and operating cost of the I-10/Louisiana Avenue Interchange Lighting System. A motion to approve by Benjamin, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Menard

NAYS: None

ABSENT: Stevenson

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE A)(660)AGENDA ITEM NO. 8: R-031-2004 A resolution of the Lafayette City-Parish Council requesting that the Fire and Police Civil Service Board retain all of the qualifications for the Police Chief position. A motion to approve was made by Broussard, however, failed for lack of a second.

Motion failed for lack of a second.

ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE A)(670)AGENDA ITEM NO. 9: O-090-2004 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish Consolidated Government to sell fifty-one (51) surplus golf carts which are no longer needed for public purposes to EZ-GO/LA. for a total bid price of \$67,000.00, as per the attached list. A motion to approve by Mouton, seconded by Benjamin, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Menard

NAYS: None

ABSENT: Stevenson

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE B)(009)AGENDA ITEM NO. 10: O-100-2004 An ordinance of the Lafayette City-Parish Council amending the provisions of the Lafayette City-Parish Consolidated Government Code of Ordinance and in particular certain sections of Chapter 26 thereof, in order to adopt the current mandatory codes required by LSA-R.S. 40:1728 subject to certain modifications. A motion to approve by Conque, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Menard

NAYS: None

ABSENT: Stevenson

ABSTAIN: None

Motion was approved.

Eleanor Bouy explained the subject ordinance is adopting the International Building Code. Generally, this code establishes a uniform set of residential and commercial building codes that everyone can use. In the past, there were many different building codes and by adopting the International Building Code it is setting in place one standard code. Louisiana is the 45th state to put the code in place. Upon questioning by Bourgeois, Chief Building Inspector Larry Manuel explained the code was adjusted to benefit residential and commercial buildings based in Louisiana. With regard to commercial buildings, the code recognizes the importance of sprinkler systems and alleviates fire walls.

(TAPE 1)(SIDE B)(077)AGENDA ITEM NO. 11: O-104-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the adjustment of the manning tables to coincide with the new grant effective July 1, 2004 from the Supreme Court of Louisiana to operate the Drug Court Program within the Office of Criminal Justice Support Services. A motion to approve by Broussard, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Menard

NAYS: None

ABSENT: Stevenson

ABSTAIN: None

Motion was approved.

Williams questioned if the subject ordinance would change the position of Drug Court Coordinator to Administrative Assistant. Marcus Bruno, Criminal Justice Support Services Administrator responded affirmatively and explained after meeting with Judge Edwards to determine the future of the program, a decision was made to create a program to work with the clients to prepare them with job skills in order to return to a working society. He added the Administrative Assistant would assist with the administrative process of the program with his direct involvement of the job service. Upon questioning by Broussard, Bruno confirmed there was no salary increase for the Administrative Assistant; however, there will be future salary increases in various positions due to job description changes that will require Council approval at a later date.

Bruno explained that the individual that has been provisionally appointed to the Drug Court Coordinator has agreed to accept the position of Administrative Assistant. Upon questioning by Benjamin, Stanley explained some requirements have changed with regard to qualifications of the Drug Court Coordinator versus the Administrative Assistant. The person who was coordinating the program was not doing any type of counseling which is an administrative position. The counselors are certified and are actually counseling the clients. Therefore, Bruno felt it better to get an Administrator to assist him in coordinating the program rather than have a Drug Court Coordinator that was a counselor. After meeting with Civil Service, it was determined that based on the duties of the job, it was not necessary to have someone who was BSAC certified.

(TAPE 1)(SIDE B)(578)AGENDA ITEM NO. 12: O-105-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$135,000 from Louisiana Avenue Phase II Project to Reserve- Streets. A motion to approve by Badeaux, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Menard

NAYS: None

ABSENT: Stevenson

ABSTAIN: None

Motion was approved.

(TAPE 1)(SIDE B)(590)AGENDA ITEM NO. 13: O-106-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring funds within the Traffic and Transportation Department, MPO/Planning Division for personnel salaries. A motion to approve by Conque, seconded by Bourgeois, and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Conque, Mouton, Menard

NAYS: Broussard

ABSENT: Stevenson

ABSTAIN: None

Motion was approved.

Mike Hollier explained the subject ordinance was to transfer funds under a transportation grant for the MPO and is directly related to the work on the 2030 Transportation Plan that is currently under contract. The funds are dealing with the new areas involved in the transportation plan as well as the preparation of a growth model for the area. Tony Tramel added that no additional personnel positions are associated with the budget revision; however, the amount of money received from the state was reduced, in which the subject budget revision reflects the loss. Lalumia explained that the personnel who are budgeted for total salaries, some of which are currently in the general fund, would be paid from a portion of the grant monies instead of the general fund.

(TAPE 2)(SIDE A)(001)

Upon questioning by Broussard, Tramel confirmed a matching portion of the money being utilized from the grant is for salaries. Hollier added the contract has been extended because the consultant is running behind schedule, which has provided for an opportunity to supplement staff work on the project.

ANNOUNCEMENT OF VACANCY ON BOARDS/COMMISSIONS

(TAPE 2)(SIDE A)(059)AGENDA ITEM NO. 14: Due to a term expiration, a vacancy will exist on the Planning & Zoning Commission for a five year term effective June 4, 2004.

Individuals wishing to volunteer for the above vacancy must be a registered voter and reside within the corporate limits of the City of Lafayette. Resumes are to be forwarded to Norma A. Dugas, Clerk of the Council, P.O. Box 4017-C, Lafayette, LA 70502 no later than noon, Friday, May 28 with Council appointment to be made on Tuesday, June 1, 2004.

(TAPE 2)(SIDE A)(061)AGENDA ITEM NO. 15: Due to a term expiration, a vacancy will exist on the Taxicab Control Board for a four year term effective June 18, 2004.

Individuals wishing to volunteer for the above vacancy must be a registered voter and a resident of Lafayette Parish. Resumes are to be forwarded to Norma A. Dugas, Clerk of the Council, P.O. Box 4017-C, Lafayette, LA 70502 no later than noon, Friday, May 28 with Council appointment to be made on Tuesday, June 1, 2004.

(TAPE 2)(SIDE A)(063)AGENDA ITEM NO. 16: Due to a resignation, a vacancy will exist on the Lafayette Parish Library Board of Control to fill an unexpired term until August 31, 2005.

Individuals wishing to volunteer for the above vacancy must be a registered voter and a resident of Lafayette Parish. Resumes are to be forwarded to Norma A. Dugas, Clerk of the Council, P.O. Box 4017-C, Lafayette, LA 70502 no later than noon, Friday, May 28 with Council appointment to be made on Tuesday, June 1, 2004.

At this time, Chair Menard announced that Ordinance Nos. O-113-2004 and O-114-2004 will return to the Council for final adoption on June 15.

(TAPE 2)(SIDE A)(077)AGENDA ITEM NOS. 17-30: A motion was offered by Mouton, seconded by Broussard, to approve for introduction the following ordinances, in-globo and the vote was as follows:

YEAS: Badeaux, Bourgeois, Williams, Benjamin, Broussard, Conque, Mouton, Menard

NAYS: None

ABSENT: Stevenson

ABSTAIN: None

Motion was approved.

INTRODUCTORY ORDINANCES

17. O-107-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by authorizing the increase in revenue in the amount of \$651,525 for DHH Acadiana Recovery Center Inpatient Treatment Program of funds received from the Office for Addictive Disorders and increasing the salary of one Social Service Counselor I by 5% upon passing the exam for board certification for Substance Abuse Counselors and appropriating within the Community Development Department.

18. O-108-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04

operating budget of the Lafayette City-Parish Consolidated Government to adjust amounts for group health insurance rate increases effective May 14, 2004.

19. O-109-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$20,725 from Survey Equipment to Reserve.
20. O-110-2004 An ordinance of the Lafayette City-Parish Council amending the Lafayette City-Parish Consolidated Government Code of Ordinances Chapter 6 adding Section 6:96, "After Hours Clubs".
21. O-111-2004 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 operating budget of the Lafayette City-Parish Consolidated Government by decreasing Grant Revenues and Downtown Street/Sidewalks Project.
22. O-112-2004 An ordinance of the Lafayette City-Parish Council authorizing the Administration to enter into the attached cooperative endeavor agreement between the State of Louisiana, the Board of Supervisors of the Louisiana Community and Technical College System, the Lafayette City-Parish Consolidated Government and SLCC Facilities Corporation.
23. O-113-2004 An ordinance of the Lafayette City-Parish Council declaring the building or structure located at municipal address, 710 North Bienville Street, Lafayette, Louisiana, owned by Chester Onezime and Rita Previte, c/o Gerald J. Block, attorney appointed to be dilapidated and dangerous to the public welfare and ordering the condemnation of same.
24. O-114-2004 An ordinance of the Lafayette City-Parish Council declaring the building or structure located at municipal address, 208 Olivier Street, Lafayette, Louisiana, owned by Towana Charles, c/o Gerald J. Block, attorney appointed to be dilapidated and dangerous to the public welfare and ordering the condemnation of same.
25. O-115-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a utility easement in Acacia Bluff Subdivision, located at the intersection of East Bayou Parkway and Acacia Drive.
26. O-116-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a utility easement on Lot 1 of Alfred Leonpacher and Lot 2 of Stefan Leonpacher, having municipal addresses of 116 Acacia Drive and 114 Acacia Drive, respectively.
27. O-117-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of an electrical easement on Lot 1 of East Bayou Baptist Church, having municipal address of 2234 Kaliste Saloom Road.
28. O-118-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a utility easement on Tract 1 of Greentree Properties, Incorporated, having a municipal address of 1850 West Pinhook Road.
29. O-119-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of the utility niches on Lots A-2, A-3, A-6, and A-7 in Phase III of the Village of River Ranch, having municipal addresses of 112 Settlers Trace Boulevard, 108 Settlers Trace Boulevard, 106 Settlers Trace Boulevard and 102 Settlers Trace Boulevard, respectively.
30. O-120-2004 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of Digby Avenue and utility easements and the granting of drainage and utility easements on Tract 1, Lot 87, and Lot 88 in Phase 2 of Austin Village, having municipal addresses of 412 Digby Avenue and 413 Digby Avenue, respectively.

(TAPE 2)(SIDE A)(134)AGENDA ITEM NO. 31: Comments from the public concerning the above Introductory Ordinances.

No speakers

ADJOURN

There being no further business to come before the Council, Chair Menard declared the regular Council meeting adjourned.

Norma A. Dugas
Clerk of the Council